

UNITED STATES DISTRICT COURT

for the
Eastern District of Wisconsin

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)
A Facebook Account Associated with
Anthony Oblak

)
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)
)
)

Case No. 21-801M(NJ)

WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search and seizure of the following person or property located in the _____ District of _____
(identify the person or describe the property to be searched and give its location):

See Attachment A

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (identify the person or describe the property to be seized):

See Attachment B

YOU ARE COMMANDED to execute this warrant on or before March 16, 2021 (not to exceed 14 days)

☐ in the daytime 6:00 a.m. to 10:00 p.m. ☒ at any time in the day or night because good cause has been established.

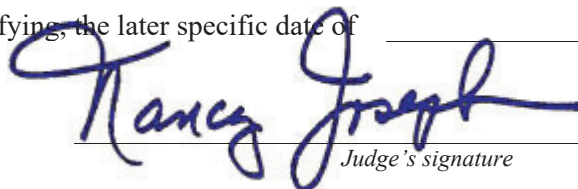
Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to Hon. Nancy Joseph.

(United States Magistrate Judge)

☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)

☐ for _____ days (not to exceed 30) ☐ until, the facts justifying, the later specific date of _____.

Date and time issued: March 2, 2021City and state: Milwaukee, WI


Judge's signature

Hon. Nancy Joseph, U.S. Magistrate Judge

Printed name and title

Return		
Case No.:	Date and time warrant executed:	Copy of warrant and inventory left with:
Inventory made in the presence of :		
Inventory of the property taken and name(s) of any person(s) seized:		
Certification		
<p>I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.</p> <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="width: 30%;"> <p>Date: _____</p> </div> <div style="width: 65%;"> <p style="text-align: center;">_____</p> <p style="text-align: center;"><i>Executing officer's signature</i></p> <p style="text-align: center;">_____</p> <p style="text-align: center;"><i>Printed name and title</i></p> </div> </div>		

ATTACHMENT A

MATTER NO. 2021R00066

Property to Be Searched

This warrant applies to information associated with the Facebook user ID 100008117945603 that is stored at premises owned, maintained, controlled, or operated by Facebook Inc., a company headquartered in Menlo Park, California.

ATTACHMENT B

MATTER NO. 2021R00066

Particular Things to be Seized

I. Information to be disclosed by Facebook

To the extent that the information described in Attachment A is within the possession, custody, or control of Facebook Inc. (“Facebook”), regardless of whether such information is located within or outside of the United States, including any messages, records, files, logs, or information that have been deleted but are still available to Facebook, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Facebook is required to disclose the following information to the government for each user ID listed in Attachment A:

- (a) All contact and personal identifying information, including full name, user identification number, birth date, gender, contact e-mail addresses, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.
- (b) All activity logs for the account and all other documents showing the user’s posts and other Facebook activities from February 1, 2021 to the present date;
- (c) All “Stories” posted by the account from February 1, 2021, to the present date;
- (d) All photos and videos uploaded by that user ID and all photos and videos uploaded by any user that have that user tagged in them from February 1, 2021 to the present date, including Exchangeable Image File (“EXIF”) data and any other metadata associated with those photos and videos;
- (e) All profile information; News Feed information; status updates; videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including

the friends' Facebook user identification numbers; groups and networks of which the user is a member, including the groups' Facebook group identification numbers; future and past event postings; rejected "Friend" requests; comments; gifts; pokes; tags; and information about the user's access and use of Facebook applications;

- (f) All records or other information regarding the devices and internet browsers associated with, or used in connection with, that user ID, including the hardware model, operating system version, unique device identifiers, mobile network information, and user agent string;
- (g) All other records and contents of communications and messages made or received by the user from February 1, 2021, to the present date, including all Messenger activity, private messages, chat history, video and voice calling history, and pending "Friend" requests;
- (h) All "check ins" and other location information;
- (i) All IP logs, including all records of the IP addresses that logged into the account;
- (j) All records of the account's usage of the "Like" feature, including all Facebook posts and all non-Facebook webpages and content that the user has "liked";
- (k) All information about the Facebook pages that the account is or was a "fan" of;
- (l) All past and present lists of friends created by the account;
- (m) All records of Facebook searches performed by the account from February 1, 2021, to the present date;
- (n) All information about the user's access and use of Facebook Marketplace;
- (o) The types of service utilized by the user;

- (p) The length of service (including start date) and the means and source of any payments associated with the service (including any credit card or bank account number);
- (q) All privacy settings and other account settings, including privacy settings for individual Facebook posts and activities, and all records showing which Facebook users have been blocked by the account;
- (r) All records pertaining to communications between Facebook and any person regarding the user or the user's Facebook account, including contacts with support services and records of actions taken.

Facebook is hereby ordered to disclose the above information to the government within twenty-eight (28) days of service of this warrant.

II. Information to be seized by the government

All information described above in Section I that constitutes fruits, evidence and instrumentalities of violations of 18 U.S. Code § 922 (g)(1) involving Anthony OBLAK, including, for the user ID identified on Attachment A, information pertaining to the following matters:

- (a) The possession of firearms by a convicted felon.
- (b) Evidence indicating how and when the Facebook account was accessed or used, to determine the chronological and geographic context of account access, use, and events relating to the crime under investigation and to the Facebook account owner;
- (c) Evidence indicating the Facebook account owner's state of mind as it relates to the crime under investigation; and,

- (d) The identity of the person(s) who created or used the user ID, including records that help reveal the whereabouts of such person(s).

UNITED STATES DISTRICT COURT

for the
Eastern District of WisconsinIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)A Facebook Account Associated with
Anthony Oblak

Case No. 21-801M(NJ)

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A

located in the _____ District of _____, there is now concealed (identify the person or describe the property to be seized):

See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☐ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
Title 18, U.S.C., Section 992(g) (1)	Felon in possession of a firearm

The application is based on these facts:

See the attached affidavit.

☒ Continued on the attached sheet.☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

DALTON EVERTZ

Digitally signed by DALTON EVERTZ
Date: 2021.03.02 10:06:55 -06'00'

Applicant's signature

ATF SA Dalton Evertz

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4-1 by
_____ telephone _____ (specify reliable electronic means).

Date: March 2, 2021

City and state: Milwaukee, WI

Hon. Nancy Joseph, U.S. Magistrate Judge

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

MATTER NO. 2021R00066

I, Dalton Evertz, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application for a search warrant for information associated with Facebook user ID 100008117945603 that is stored at premises owned, maintained, controlled, or operated by Facebook Inc. (“Facebook”), a social networking company headquartered in Menlo Park, California. The information to be searched is described in the following paragraphs and in Attachment A. This affidavit is made in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A) to require Facebook to disclose to the government records and other information in its possession, pertaining to the subscriber or customer associated with the user ID 100008117945603.

2. I am employed as a Special Agent with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”), and have been since October 2018. I received extensive training at the Federal Law Enforcement Training Center in Glynco, GA. I attended the Criminal Investigator Training Program, as well as ATF’s Special Agent Training Program. I have received training in the investigation of unlawful possession of firearms, the unlawful transfer of firearms, and the unlawful dealing in firearms without a dealers’ license. Prior to becoming a Special Agent with the ATF, I received a bachelor’s degrees from The University of Wisconsin – Eau Claire in the field of Criminal Justice.

3. I have received training in the investigation of illegal possession of firearms and firearm trafficking. Based on my training, experience, and participation in firearm trafficking investigations, I know and/or have observed the following:

- a. I have utilized informants to investigate firearm trafficking. Through informant interviews and debriefings of individuals involved in those offenses, I have learned about the manner in which individuals and organizations distribute these items in Wisconsin and elsewhere;
- b. I have also relied on informants to obtain firearms (as opposed to licensed gun dealers) from individuals on the streets, known as a controlled purchase;
- c. I have experience conducting street surveillance of individuals engaged in firearm trafficking. I have participated in the execution of numerous search warrants where firearms, ammunition, and magazines have been seized;
- d. I am familiar with the language utilized over the telephone to discuss firearm trafficking, and know that the language is often limited, guarded, and coded;
- e. I know that firearm traffickers often use electronic equipment to conduct these operations;
- f. I know that firearm traffickers often utilize social media applications, such as Facebook, to discuss firearm sales.
- g. I know that firearm traffickers commonly have in their possession, and at their residences and other locations where they exercise dominion and control, firearms, ammunition, and records or receipts pertaining to such;

- h. I know that firearm traffickers often put their telephones in nominee names to distance themselves from telephones that are utilized to facilitate these and related offenses; and
 - i. I know that firearm traffickers often use proceeds to purchase assets such as vehicles, property, jewelry, and narcotics. I also know that firearm traffickers often use nominees to purchase and/or title these assets to avoid scrutiny from law enforcement officials. I also know that firearm traffickers may keep photographs of these items on electronic devices or their social media websites.
- 4. I have participated in multiple firearm trafficking investigations that involved the seizure of computers, cellular phones, cameras, and other digital storage devices, and the subsequent analysis of electronic data stored within these computers, cellular phones, cameras, and other digital storage devices. In many occasions, this electronic data has provided evidence of the crimes being investigated and corroborated information already known or suspected by law enforcement.
- 5. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.
- 6. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that violations of 18 U.S. Code § 922(g)(1) have been committed by Anthony John OBLAK. There is also probable cause to search the information described in Attachment A for evidence of these crimes, as described in Attachment B.

PROBABLE CAUSE

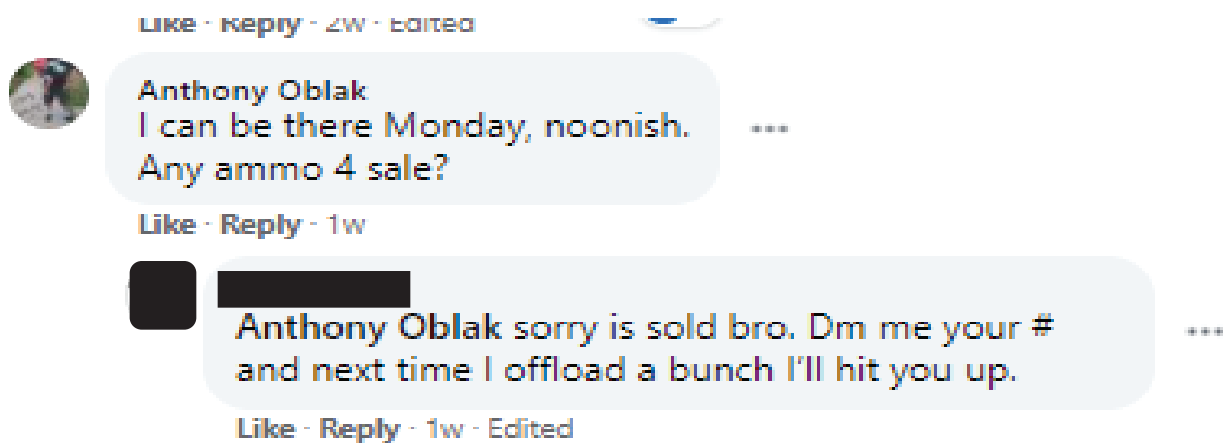
7. On February 1, 2021, an Undercover Agent (UCA) from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), utilizing an undercover social media persona, posted a photograph of a drum magazine for AR-style weapons to their undercover Facebook account. The caption of the post stated: “Drum magazine for AR 15. \$80 OBO (Or Best Offer).”



**Screenshot of Facebook Post from Undercover Facebook Account*

8. On February 8, 2021, at approximately 2:10 A.M., a Facebook user with the vanity name “Anthony Oblak” (User ID: 100008117945603) (the “Target Account”) commented on the post: “I can be there Monday, noonish. Any ammo 4 sale?”

9. On February 8, 2021, at approximately 6:48 A.M., the UCA replied to OBLAK’s comment: “Anthony Oblak (tagged in message) sorry is sold bro. DM (direct message) me your # and next time I offload a bunch I’ll hit you up.”



10. On February 8, 2021, beginning at approximately 7:16 A.M., a conversation between OBLAK and the UCA occurred via Facebook Messenger. The following is a verbatim transcript of the conversation:

OBLAK: Tony oblak.
(414) 378-2327
.38 or .223
Southside of MILWAUKEE WI.

**The UCA understood this to mean
OBLAK was informing the UCA that he
(OBLAK) wanted to obtain .38 or .223
caliber ammunition.*

UCA: Got you locked in bro *emoji* I don't normally move ammo just cuz it's hard to make a profit with prices so high. But if you need some next time I load up I'll get some extra boxes. I buy in bulk online because Dunham's tries to bend you over.

OBLAK: I'd appreciate it. It's my locale here in the "Hood" makes it a chore, but not impossible to obtain. My profile is an open book. My oldest Son was Murdered back in '13, trying to get his little brothers bike back. I live here on 20th Mitchell with my Mother, and other 3 kids. I just lost their Mother, my Woman of 30+ yrs. I'm not your average peckerwood, to say the least.

UCA: Fucking horrible bro... sorry to hear that. All of it.. Milwaukee ain't what it used to be. You gotta protect yourself around here cuz no one else is gonna do it for you.

OBLAK:
Is what it is.
22yr old Daughter
16yr old Son
12yr old Son
76yr old Mom that still works 40 hrs.
Thats my protection detail.

UCA: That's wassup bro I respect that 💯 You good on firepower? I can keep my eye open for something specific if you want too

OBLAK: My mothers boyfriend of 35yrs+ worked at H-D for 40+ yrs, collected Guns, and took my Mom to Africa every year. He passed away 14 months ago, and I inherited like 60 pieces. I've got a shitload of ammo, but its in storage way out. No big deal. When it warms a tad, I'LL stock up.

**The UCA understood this to mean OBLAK
inherited 60 firearms from his mother's boyfriend
when his mother's boyfriend passed away.*

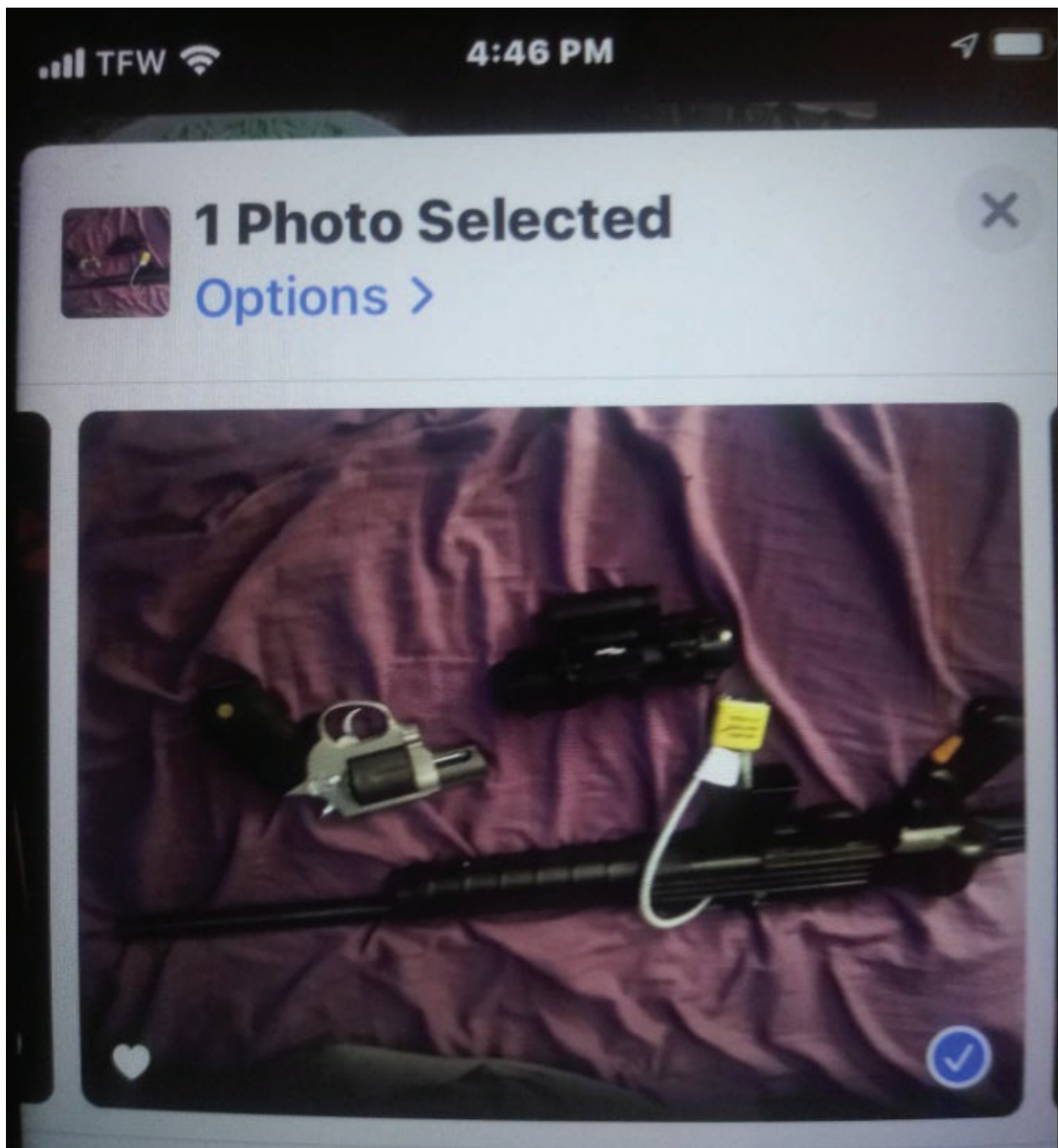
UCA: Damn bro I should be asking you for the firepower 😂😂 if
you ever wanna get rid of some I'll gladly buy them off you.
Sounds like her boyfriend would've collected some nice stuff if he
was going to Africa and shit.

UCA: But I can get you ammo long before it warms
up. You want .223 or .38 or both?

OBLAK: I say that cause we have a Storage
full of outdoors man shit. Floor to ceiling
ammo. Just inconvenient this time of year

UCA: Haha that's fucking awesome!!!!

OBLAK: Taurus .38 special. Marlin folding Stock 9mm
with the scope aside of it. Couple toys at arms reach;ya feel
me??



**The UCA understood this to mean OBLAK possessed a Taurus revolver and a Marlin Carbine with a scope and folding stock in his possession.*

OBLAK: Lost 1 Son...WONT LOSE ANOTHER....


UCA: That marlin is fucking sexy... You willing to part with it?????

OBLAK: Maybe this Spring. I have a COLT AR-15; a CHINESE AK-47. The nice thing about the Marlin is that the Barrel interchanges with a .45cal, and a couple other sizes. Quick fast in a hurry.

UCA: Damn. I want that mfer so bad. I used to have one that didn't have a folding stock. That's the shit right there

UCA: You're trying to offload the AR and the AK or you're just sayin u got those to

OBLAK: No I ain't selling shit

UCA: Aight aight. Well if you are running outta space in your storage unit just hmu and I'll gladly take them things off ur hands and put some cash in your pocket 

UCA: An I'll hit u up when I got ammo

OBLAK: I got a feeling me and you gonna be bumpin heads out here. Ttyl

11. On February 18, 2021, SA Dalton Evertz queried OBLAK's criminal history via the National Criminal Information Center (NCIC), which revealed at least the following felony convictions for OBLAK:

- Milwaukee County Case No. 2001CF000033 - Attempt Obtain Controlled Substance by Fraud [Modifiers: Party to a Crime], an unclassified felony, Wisconsin Statutes 961.43(1)(a).

12. On February 18, 2021, I examined OBLAK's driver's license photograph and compared it against photographs contained within the Target Account. After comparing the photographs, I confirmed the individual in both sets of photographs was OBLAK.

13. On February 18, 2021, I submitted a preservation request to Facebook for the Target Account.

14. On February 20, 2021, during an exchange of messages between the UCA and OBLAK regarding motorcycles, OBLAK sent the following message via Facebook Messenger: "Friend of mine built it. 117c.i Baker 6 speed. Its my first Harley. ***Im a 4 time loser, been in every Max joint in W.I. You can ccap me. Most of my crimes are Batt., agg batt., stealing cars. Aint been in court since 06. I am what I am. My Son was murdered '13. Over a bike. SOUTHSIDER all my life.***" The UCA understood this to mean OBLAK was informing the UCA that OBLAK was a multi-convicted felon who had spent time in prisons located throughout the State of Wisconsin.

15. Facebook owns and operates a free-access social networking website of the same name that can be accessed at <http://www.facebook.com>. Facebook allows its users to establish accounts with Facebook, and users can then use their accounts to share written news, photographs, videos, and other information with other Facebook users, and sometimes with the general public.

16. Facebook asks users to provide basic contact and personal identifying information to Facebook, either during the registration process or thereafter. This information may include the user's full name, birth date, gender, contact e-mail addresses, Facebook passwords, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers. Facebook also assigns a user identification number to each account.

17. Facebook users may join one or more groups or networks to connect and interact with other users who are members of the same group or network. Facebook assigns a group identification number to each group. A Facebook user can also connect directly with individual Facebook users by sending each user a “Friend Request.” If the recipient of a “Friend Request” accepts the request, then the two users will become “Friends” for purposes of Facebook and can exchange communications or view information about each other. Each Facebook user’s account includes a list of that user’s “Friends” and a “News Feed,” which highlights information about the user’s “Friends,” such as profile changes, upcoming events, and birthdays.

18. Facebook users can select different levels of privacy for the communications and information associated with their Facebook accounts. By adjusting these privacy settings, a Facebook user can make information available only to himself or herself, to particular Facebook users, or to anyone with access to the Internet, including people who are not Facebook users. A Facebook user can also create “lists” of Facebook friends to facilitate the application of these privacy settings. Facebook accounts also include other account settings that users can adjust to control, for example, the types of notifications they receive from Facebook.

19. Facebook users can create profiles that include photographs, lists of personal interests, and other information. Facebook users can also post “status” updates about their whereabouts and actions, as well as links to videos, photographs, articles, and other items available elsewhere on the Internet. Facebook users can also post information about upcoming “events,” such as social occasions, by listing the event’s time, location, host, and guest list. In addition, Facebook users can “check in” to particular locations or add their geographic locations to their Facebook posts, thereby revealing their geographic locations at particular dates and times. A particular user’s profile page also includes a “Wall,” which is a space where the user

and his or her “Friends” can post messages, attachments, and links that will typically be visible to anyone who can view the user’s profile.

20. Facebook allows users to upload photos and videos, which may include any metadata such as location that the user transmitted when s/he uploaded the photo or video. It also provides users the ability to “tag” (i.e., label) other Facebook users in a photo or video. When a user is tagged in a photo or video, he or she receives a notification of the tag and a link to see the photo or video. For Facebook’s purposes, the photos and videos associated with a user’s account will include all photos and videos uploaded by that user that have not been deleted, as well as all photos and videos uploaded by any user that have that user tagged in them.

21. Facebook users can exchange private messages on Facebook with other users. Those messages are stored by Facebook unless deleted by the user. Facebook users can also post comments on the Facebook profiles of other users or on their own profiles; such comments are typically associated with a specific posting or item on the profile. In addition, Facebook has a chat feature that allows users to send and receive instant messages through Facebook Messenger. These chat communications are stored in the chat history for the account. Facebook also has Video and Voice Calling features, and although Facebook does not record the calls themselves, it does keep records of the date of each call.

22. If a Facebook user does not want to interact with another user on Facebook, the first user can “block” the second user from seeing his or her account.

23. Facebook has a “like” feature that allows users to give positive feedback or connect to particular pages. Facebook users can “like” Facebook posts or updates, as well as webpages or content on third-party (*i.e.*, non-Facebook) websites. Facebook users can also become “fans” of particular Facebook pages.

24. Facebook has a search function that enables its users to search Facebook for keywords, usernames, or pages, among other things.

25. Each Facebook account has an activity log, which is a list of the user's posts and other Facebook activities from the inception of the account to the present. The activity log includes stories and photos that the user has been tagged in, as well as connections made through the account, such as "liking" a Facebook page or adding someone as a friend. The activity log is visible to the user but cannot be viewed by people who visit the user's Facebook page.

26. Facebook also has a Marketplace feature, which allows users to post free classified ads. Users can post items for sale, housing, jobs, and other items on the Marketplace.

27. In addition to the applications described above, Facebook also provides its users with access to thousands of other applications ("apps") on the Facebook platform. When a Facebook user accesses or uses one of these applications, an update about that the user's access or use of that application may appear on the user's profile page.

28. Facebook also retains Internet Protocol ("IP") logs for a given user ID or IP address. These logs may contain information about the actions taken by the user ID or IP address on Facebook, including information about the type of action, the date and time of the action, and the user ID and IP address associated with the action. For example, if a user views a Facebook profile, that user's IP log would reflect the fact that the user viewed the profile, and would show when and from what IP address the user did so.

29. Social networking providers like Facebook typically retain additional information about their users' accounts, such as information about the length of service (including start date), the types of service utilized, and the means and source of any payments associated with the service (including any credit card or bank account number). In some cases, Facebook users may

communicate directly with Facebook about issues relating to their accounts, such as technical problems, billing inquiries, or complaints from other users. Social networking providers like Facebook typically retain records about such communications, including records of contacts between the user and the provider's support services, as well as records of any actions taken by the provider or user as a result of the communications.

30. As explained herein, information stored in connection with a Facebook account may provide crucial evidence of the “who, what, why, when, where, and how” of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and experience, a Facebook user's IP log, stored electronic communications, and other data retained by Facebook, can indicate who has used or controlled the Facebook account. This “user attribution” evidence is analogous to the search for “indicia of occupancy” while executing a search warrant at a residence. For example, profile contact information, private messaging logs, status updates, and tagged photos (and the data associated with the foregoing, such as date and time) may be evidence of who used or controlled the Facebook account at a relevant time. Further, Facebook account activity can show how and when the account was accessed or used. For example, as described herein, Facebook logs the Internet Protocol (IP) addresses from which users access their accounts along with the time and date. By determining the physical location associated with the logged IP addresses, investigators can understand the chronological and geographic context of the account access and use relating to the crime under investigation. Such information allows investigators to understand the geographic and chronological context of Facebook access, use, and events relating to the crime under investigation. Additionally, Facebook builds geo-location into some of its services. Geo-location allows, for example, users to “tag” their location

in posts and Facebook “friends” to locate each other. This geographic and timeline information may tend to either inculcate or exculpate the Facebook account owner. Last, Facebook account activity may provide relevant insight into the Facebook account owner’s state of mind as it relates to the offense under investigation. For example, information on the Facebook account may indicate the owner’s motive and intent to commit a crime (e.g., information indicating a plan to commit a crime), or consciousness of guilt (e.g., deleting account information in an effort to conceal evidence from law enforcement).

31. Therefore, the computers of Facebook are likely to contain all the material described above, including stored electronic communications and information concerning subscribers and their use of Facebook, such as account access information, transaction information, and other account information.

INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

32. I anticipate executing this warrant under the Electronic Communications Privacy Act, in particular 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A), by using the warrant to require Facebook to disclose to the government copies of the records and other information (including the content of communications) particularly described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

CONCLUSION

33. Based on the foregoing, I request that the Court issue the proposed search warrant.

34. Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant. The government will execute this warrant

by serving it on Facebook. Because the warrant will be served on Facebook, who will then compile the requested records at a time convenient to it, reasonable cause exists to permit the execution of the requested warrant at any time in the day or night.

35. This Court has jurisdiction to issue the requested warrant because it is “a court of competent jurisdiction” as defined by 18 U.S.C. § 2711. 18 U.S.C. §§ 2703(a), (b)(1)(A) & (c)(1)(A). Specifically, the Court is a district court of the United States that has jurisdiction over the offense being investigated.” 18 U.S.C. § 2711(3)(A)(i).

ATTACHMENT A

MATTER NO. 2021R00066

Property to Be Searched

This warrant applies to information associated with the Facebook user ID 100008117945603 that is stored at premises owned, maintained, controlled, or operated by Facebook Inc., a company headquartered in Menlo Park, California.

ATTACHMENT B

MATTER NO. 2021R00066

Particular Things to be Seized

I. Information to be disclosed by Facebook

To the extent that the information described in Attachment A is within the possession, custody, or control of Facebook Inc. (“Facebook”), regardless of whether such information is located within or outside of the United States, including any messages, records, files, logs, or information that have been deleted but are still available to Facebook, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Facebook is required to disclose the following information to the government for each user ID listed in Attachment A:

- (a) All contact and personal identifying information, including full name, user identification number, birth date, gender, contact e-mail addresses, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.
- (b) All activity logs for the account and all other documents showing the user’s posts and other Facebook activities from February 1, 2021 to the present date;
- (c) All “Stories” posted by the account from February 1, 2021, to the present date;
- (d) All photos and videos uploaded by that user ID and all photos and videos uploaded by any user that have that user tagged in them from February 1, 2021 to the present date, including Exchangeable Image File (“EXIF”) data and any other metadata associated with those photos and videos;
- (e) All profile information; News Feed information; status updates; videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including

the friends' Facebook user identification numbers; groups and networks of which the user is a member, including the groups' Facebook group identification numbers; future and past event postings; rejected "Friend" requests; comments; gifts; pokes; tags; and information about the user's access and use of Facebook applications;

- (f) All records or other information regarding the devices and internet browsers associated with, or used in connection with, that user ID, including the hardware model, operating system version, unique device identifiers, mobile network information, and user agent string;
- (g) All other records and contents of communications and messages made or received by the user from February 1, 2021, to the present date, including all Messenger activity, private messages, chat history, video and voice calling history, and pending "Friend" requests;
- (h) All "check ins" and other location information;
- (i) All IP logs, including all records of the IP addresses that logged into the account;
- (j) All records of the account's usage of the "Like" feature, including all Facebook posts and all non-Facebook webpages and content that the user has "liked";
- (k) All information about the Facebook pages that the account is or was a "fan" of;
- (l) All past and present lists of friends created by the account;
- (m) All records of Facebook searches performed by the account from February 1, 2021, to the present date;
- (n) All information about the user's access and use of Facebook Marketplace;
- (o) The types of service utilized by the user;

- (p) The length of service (including start date) and the means and source of any payments associated with the service (including any credit card or bank account number);
- (q) All privacy settings and other account settings, including privacy settings for individual Facebook posts and activities, and all records showing which Facebook users have been blocked by the account;
- (r) All records pertaining to communications between Facebook and any person regarding the user or the user's Facebook account, including contacts with support services and records of actions taken.

Facebook is hereby ordered to disclose the above information to the government within twenty-eight (28) days of service of this warrant.

II. Information to be seized by the government

All information described above in Section I that constitutes fruits, evidence and instrumentalities of violations of 18 U.S. Code § 922 (g)(1) involving Anthony OBLAK, including, for the user ID identified on Attachment A, information pertaining to the following matters:

- (a) The possession of firearms by a convicted felon.
- (b) Evidence indicating how and when the Facebook account was accessed or used, to determine the chronological and geographic context of account access, use, and events relating to the crime under investigation and to the Facebook account owner;
- (c) Evidence indicating the Facebook account owner's state of mind as it relates to the crime under investigation; and,

- (d) The identity of the person(s) who created or used the user ID, including records that help reveal the whereabouts of such person(s).